

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:  
Volker Mittendorf et al.

Application No.: 10/523,503

Confirmation No.: 5918

Filed: July 13, 2005

Art Unit: 1638

For: SUGAR AND LIPID METABOLISM  
REGULATORS IN PLANTS IV

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Examiner: Brendan O. Baggot

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed February 7, 2008, Applicants hereby provisionally elect SEQ ID NO: 23 and the encoded amino acid sequence of SEQ ID NO: 24, which Applicants believe corresponds to the restriction Group XII, with traverse. The elected sequence encodes a lipid metabolism domain as in claim 33. Applicants believe that there is no undue burden on the Examiner to search this invention.

Applicants reserve all rights to pursue the non-elected species in one or more divisional application.

Applicants are submitting their response within the one-month response period. No fee is believed due. However, if any fee is due, the Director is hereby authorized to charge our Deposit Account No. 03-2775, under Order No. 12810-00346-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

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